

Serial No.: 10/715,327  
Atty. Docket No.: APICO-03001

### **REMARKS**

In the Action mailed 3 November 2005, the Examiner withdrew previously indicated allowability of claims 3, 9 and 13 in view of newly discovered art. A new indefiniteness rejection was entered against claim 9 on account of an omitted word. Claims 4-8 and 14-18 were indicated allowable, but objected to on account of dependence from rejected base claims. Claims 10-12 were indicated directed to allowable subject matter.

Claim 3 has been amended to incorporate the limitations of claim 4, which was indicated allowable. Claim 4 has been cancelled. Claim 9 has been amended to overcome the indefiniteness rejection. The amendment to claim 3, from which claim 9 depends, should overcome the prior art based rejection of claim 9. Claim 13 has been amended to more clearly distinguish over the prior art. More particularly, claim 13 has been amended specify that the radius of curvature of a given upper chord for the truss or support of the invention follows a curve of constant, finite radius. The dependency of claim 16 has been changed from claim 15 to claim 14. Nothing in claims 16-18 build on the limitation of claim 15.

In view of the minor character of the amendment offered relating to claim 13, applicant nonetheless argues that the modification of Judson (US 2,645,521) in view of Baranian (US 2002/0116892) is inappropriate based on the teachings within the references.

The invention, in relevant part directed to the issues raised in the Office Action, relates to a vehicle roof support comprising an upper and a lower chord, with the upper chord shaped to conform to the side to side cross-sectional shape of the roof to be

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supported. The upper and lower chords are extruded members of aluminum, having a T-section cross sectional shape. Bracing is provided between the chords.

The Judson '521 patent teaches a prefabricated trailer roof structure. Judson provides what he terms "ribs 33, 35", which are structural elements which roughly correspond to the chords (elongated base member and upper chord) of the roof support of the present invention. However, as the Examiner recognized, the ribs do not have a T like cross sectional shape. The "chords" are in fact just aluminum straps which may be bent to any shape desired during assembly (the ribs are preferably positioned in a flat manner over most of their lengths, but than drawn into a tighter semi-circular shape at each end, see the '521 patent, col. 2, lines 42-49). Vertical aluminum stubs 45 welded between the ribs maintain spacing between the ribs.

The Baranian '892 patent application teaches an elongated structural member, such as a truss, useful for constructing floors or flat roofs of buildings. In construction of this elongated structural member Baranian uses spaced upper and lower (or top and bottom) parallel chords and braces the chords positionally with respect to one another using brace members. Unlike Judson the chords have a T-shaped cross section. The brace members are called out as first and second brace members. The members of a given set are preferably all of the same length and placed parallel to one another (and perpendicular the brace members of the opposite set) between the chords. In effect, in the preferred embodiment, the chords are straight and parallel to one another. In any event it is observed that a steel chord with a T-cross sectional shape cannot be readily bent to fit an arbitrary curve during assembly as called for by Judson.

The present limitations of claim 13 as amended which call for an upper chord with a T-section and having an upper face conformed in shape to a curve having a

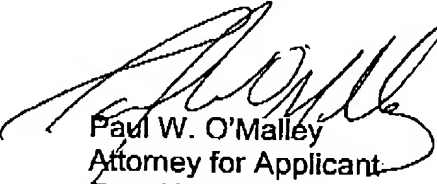
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selected, finite radius to fit a vehicle roof is not met nor taught by the combination of references.

Applicant believes the Claims as amended are in condition for allowance and respectfully requests favorable action by the Examiner.

Respectfully submitted,

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### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being faxed to the Commissioner for Patents (Fax No. 571-273-8300), P. O. Box 1450, Alexandria, VA 22313-1450 on the date below:

23 January 2006  
Date

Virginia Moore  
Signature